

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 08/07/08		2 Serial/Patent # 10/550,711		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
X	Petition 1453		06/06/08	\$ 1,540.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	\$ 1,540.00
10 REASON:		8 TO BE REFUNDED BY:		
	Overpayment	X	Treasury Check	
	Duplicate Payment		Credit Deposit A/C #:	
X	No Fee Due (Explanation):	9	5	0
petition dismissed as moot.		--	0	5
		7	3	
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Douglas I. Wood		TITLE: Senior Petitions Attorney		
SIGNATURE: /douglas wood/		PHONE: 571-272-3231		
OFFICE: Office of Petitions				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED:		DATE: 8/14/08		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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Approved for use through 06/30/2008. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PTO/SB/64 (01-08)

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
47237-5005-00-US

First named inventor: Kengo AKIMOTO et al.

Application No.: 10/550,711

Art Unit: 1621

Filed: September 26, 2005

Examiner: Deborah D. Carr

Title: LIPID-IMPROVING AGENT AND COMPOSITION CONTAINING LIPID-IMPROVING AGENT

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

Repl. Ref: 06/11/2008 LDIPI 0009002300
DAW:500573 Name/Number:10550711
FC: 9204 \$1540.00 CR

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1540.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Petition for Extension of Time, Amendment and Response, IDS (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

06/09/2008 SZLWDIEI 00000044 10550711

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

1540.00 00

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

Mercedes K. Meyer, Ph.D., Esq.

Typed or printed name

DRINKER BIDDLE & REATH LLP

Address

1500 K Street, NW, Washington, DC 20005

Address

6-6-08

Date

44,939

Registration Number, if applicable

202-842-8800

Telephone Number

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other: Copy of Amendment/Petition for Extension of Time/IDS filed 4/4/08**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate



U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PTO/SB/22
OMB 0651-0031

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 47237-5005-00-US	
In re application of: Kengo AKIMOTO et al.			
Application No. 10/550,771		Filed September 26, 2005	
For: LIPID-IMPROVING AGENT AND COMPOSITION CONTAINING LIPID-IMPROVING AGENT			
Art Unit: 1621		Examiner: Deborah D. Carr	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.			
COPY			
The requested extension and appropriate non-small- entity fee are as follows (check time period desired):			
		Large Entity	Small Entity
	One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60
	Two months (37 CFR 1.17(a)(2))	\$ 460	\$ 230
XX	Three months (37 CFR 1.17(a)(3))	\$1050	\$ 525
	Four months (37 CFR 1.17(a)(4))	\$1640	\$ 820
	Five months (37 CFR 1.17(a)(5))	\$2230	\$1115
	Applicant claims small entity status. See 37 CFR 1.27.		
X	A check in the amount of the fee is enclosed.		
	Payment by credit card. Form PTO-2038 is attached.		
	The Director has already been authorized to charge fees in this application to a Deposit Account.		
X	The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0573. A copy of this sheet is enclosed.		
I am the			
	Applicant/inventor		
	assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).		
X	attorney or agent of record.		
	Attorney or agent of record under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a):		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
Signature			
Typed Name	Mercedes K. Meyer, Ph.D., Esq.	Registration No.	44,939
Date	April 4, 2008		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
X	Total of one (1) forms are submitted.		